

U.S. Environmental Protection Agency

GOOD NEIGHBOR ENVIRONMENTAL BOARD

Board Meeting Minutes
(**Approved**)

Nogales City Hall
Nogales, Arizona
October 9-10, 2002

Detailed Meeting Summary

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U.S. Environmental Protection Agency
Good Neighbor Environmental Board
Board Meeting

Nogales City Hall, Nogales, Arizona
October 9-10, 2002

Meeting Participants

Chair

Placido Dos Santos, ADEQ

Board Members Present

Larry Allen, Coronado National Forest (ret.), Malpais Borderlands Group

Diana Borja, Texas Natural Resources Conservation Commission, Office of Border Affairs

Karen Chapman, Texas Center for Policy Studies

Gedi Cibas, New Mexico Environment Department

Irasema Coronado, University of Texas-El Paso

William Fry, HEB Grocery Company

Valecia Gavin

John Klein, U.S. Geological Survey, Department of Interior

Susan Kunz, Public Health and Organizational Development Consultant

Dennis Linskey, Coordinator for U.S.-Mexico Border Affairs, U.S. Department of State

Steve Nesmith, U.S. Commerce Department for Congressional Inter-Governmental Affairs

Dale Phillips, Cocopah Tribe

Ed Ranger, LexRadar, Inc.

Shannon Sorzano, U.S. Department of Housing and Urban Development

Rosendo Treviño III, U.S. Department of Agriculture

Roberto Ybarra, International Boundary and Water Commission

Laura Yoshii, EPA Deputy Regional Administrator, Region IX

EPA Staff

Daiva Balkus

Geraldine Brown

Elaine Koerner, Designated Federal Officer for the Good Neighbor Board

Lois Williams

Speakers

Maeveen Behan, Pima County, Arizona
Diane Carper, Cochise County, Arizona, Health Department
Rick Clifton, Tohono O'odham Nation
David Christiana, Water For People
Ron Curley, Tohono O'odham Nation
Scott Davis, University of Arizona
Jefford Francisco, Tohono O'odham Nation
Norma Guerra, Platicamos Salud, Mariposa Community Health Center, Nogales
Michele Kimpel-Guzman, ADEQ Border Team
Russ Knocke, Arizona Governor's Office
Bill McDonald, Malpai Borderlands Group
Gerry Perry, Arizona Department of Game and Fish
Asia Philbin, Water For People
Cecilia Rosales, Arizona Department of Health Services
Garrick Taylor, Border Trade Alliance
Peter Warren, Nature Conservancy

Guests

Andy Adami, Border Patrol
Juan Alegria, Cochise County, Arizona, Health Department
Steve Arellano
Alejandro Barcenas
Jim Barr, Aricosa Properties
Rebecca Carter, Climate Assessment Project for the Southwest, University of Arizona
Louis Chaboya, Santa Cruz County, Arizona, Emergency Management
Brian Consey, Arizona-Mexico Commission
Gerald Curley
Gonzales Coronado
Ken Cronan
Beth Daley, Nogales Chamber of Commerce
Erica Dawes, Michael Baker Environmental Planning
Herman Daniel Gonzales, SEMERNAT
Roberto Guerrero, Tucson Medical Center
Kristin Hagerstrom, U.S. Consul, Nogales, Sonora
Glenn Hansel, International Boundary and Water Commission
Joyce Hubbard, public health nurse
Rudy Jacobson, Director of Engineering, City of Nogales
Vera Kornylak, Arizona Center for Law in the Public Interest, International Programs
Liz Lopez, Santa Cruz County, Arizona, Emergency Management
Marco Lopez, Mayor of Nogales
Beau McClure, Bureau of Land Management
Edna Mendoza, ADEQ
Susan Miller, Ambos Nogales Revegetation Project, University of Arizona
David Molina, The Nogales International newspaper

Sue Neilsen, Nogales City Manager
Steve Oriano, Nogales Chamber of Commerce
Rosa Elvira Padilla, Vice Mayor of Nogales
Carlos Rivera, EPA El Paso Border Office
Alex Rodarte, California Environmental Protection Agency
Danny Rodriguez, Nogales City Council
Oscar Romo, Mexican Representative to the Good Neighbor Board
Rodney Scott
Linda Stitzer, Arizona Department of Water Resources
Diane Stafford
John Swanson, Sumex Corp.
Steve Tencza, International Boundary and Water Commission.
Craig Tinney, ADEQ
Mark Turner, Baker Engineers
Rick Van Schoik, Southwest Center for Environmental Research and Policy
Ricky Wascher, Border Health Foundation
Alejandro Watsons, Arizona Department of Water Resources

Others Present

Paul Bracker
Tibaldo Canez, former Board member
Paul Newman, Cochise County, Arizona, Supervisor

Interpreters

Ivan Berger
Alfonso Villa-Senor

**U.S. Environmental Protection Agency
Good Neighbor Environmental Board
Board Meeting
Nogales City Hall, Nogales, Arizona**

Detailed Meeting Summary, October 9-10, 2002

Introduction

The Good Neighbor Environmental Board (the Board) is an Environmental Protection Agency (EPA) independent advisory committee. It advises the U.S. President and Congress on good neighbor practices along the U.S.-Mexico border. The focus is on the environmental infrastructure needs of the U.S. states that are contiguous to Mexico.

The themes for this meeting were conservation, environmental health, and Borderland Security.

Greetings and Welcoming Remarks

Chair Placido Dos Santos welcomed those present and introduced *Marco Lopez, Mayor of Nogales, Arizona*.

Mayor Lopez welcomed the board, thanked them for their work, and introduced *City Councilman Danny Rodriguez* and *City Manager Sue Neilsen*. Mayor Lopez expressed concerns about hazardous materials transported through town by train, pollution from trucks idling in line at the border, and wastewater from Mexico that is treated in Nogales. He encouraged the board to look at making a pre-treatment program in Nogales, Sonora, a priority.

At the request of Mr. Dos Santos, those present introduced themselves. He extended a special welcome to three new board members, *Valecia Gavin*, *Steve Nesmith* and *Shannon Sorzano*.

**Meeting Theme 1: Conservation
Presentations**

Ranching and Conservation

Bill McDonald, Executive Director, Malpai Borderlands Group

Overview:

Mr. McDonald said that southern and southeastern Arizona exhibits the complicated mosaic of land ownership typical of the West: a national forest and a checkerboard of state, private and Bureau of Land Management (BLM) holdings, as well as ranches that contain state and federal lands. It is an immensely biologically diverse area whose cattle ranches provide habitat and migration routes for many wildlife.

In 1994, a community group of ranchers formed the Malpai Borderlands Group. The group has received and managed project grants and an outreach program. There are plans for a workshop in Mexico next year.

Successful projects include the establishment of cooperative relationships with land management and wildlife agencies, the reintroduction of fire and crafting fire plans; a program of technical assistance on watershed improvement projects; and the Grass Bank, which has helped improve range land conditions and, in early cases, to obtain conservation easements.

Recommendations and Observations:

- The tax benefit of a perpetual conservation easement would give ranchers a needed incentive for cooperation.
- The capital gains tax is a deterrent at present and the Farm Bill does not apply to ranches.
- New incentives are needed for land owners who want to harbor or protect endangered species, rather than just avoid doing harm.

Questions:

Q *Ms. Chapman* asked how the Safe Harbor Act might be strengthened to benefit ranchers.

A *Mr. McDonald* replied that the Endangered Species Act is not designed to encourage protection or enhancement of habitat or a species, but simply discourages damage.

Q *Ms. Kunz* asked how the Malpai group coordinates with ranchers in Mexico, and Mexican state and federal entities.

A *Mr. McDonald* said prescribed burns are performed in conjunction with SEMARNAT, and also through personal contacts with ranchers.

Q *Mr. Cibas* asked how the organization addressed economic aspects.

A *Mr. McDonald* said that ranchers in the area suffer from being far from grain growing, feeding, and processing areas. State regulations do not allow growing beef in one state and processing in another, and U.S. inspectors also are not available everywhere. These concerns have precluded giving attention so far to the economy in Mexico. A processing plant along the border that could serve both communities would be helpful.

Environmental Group Perspective

Peter Warren, Nature Conservancy

Overview:

Mr. Warren discussed the history of the Nature Conservancy and its activities on both sides of the border. The focus of the group has shifted from the land acquisition strategy of the 1950s to work on surrounding land and watersheds. The Nature Conservancy works on conservation projects and planning with private local organizations, as well as working with local land owners to try to find conservation solutions for their land. A

current ecological goal is the improving of streams and rivers by focusing on grasslands as watershed habitat.

In Mexico, the administrative environment for doing natural resource management is different in that of the U.S. The Nature Conservancy has been supporting groups that want to take on some of the authority for certain management issues.

Recommendations:

There is a need for continuity of support for programs on both sides of the border, especially local, community-based efforts. Funds are typically available on one side and not available on the other.

Comments:

Ms. Chapman said that in Mexico funding is available, but application and reporting requirements are geared to federal programs and often do not apply on a local level. It is rare that people in Mexico have the luxury of working full-time on conservation issues, and people who do can be inundated with projects.

Questions:

Q Ms. Coronado asked what the binational implications might be of the Endangered Species Act.

A Mr. Warren said that the act does not apply in Mexico, and therefore those funds are not available across the border. The idea of duplicating the Endangered Species Act might be a mistake because it emphasizes management of individual species over beneficial management of the ecosystem. The Act's punitive use is also a problem. Many land owners in Mexico are reluctant to get involved in habitat-protection projects for fear of alienating their neighbors.

Q Mr. Ranger asked if the Nature Conservancy planned to comment on the Border 2012 plan.

A Mr. Warren replied that he did not know what the intentions were.

Ms. Yoshii encouraged Mr. Warren to look at the plan and comment.

State Government Role

Gerry Perry, Regional Supervisor, Arizona Department of Game and Fish

Overview:

Arizona Game and Fish Department is a conservation wildlife management organization with statutory authority for management of all the wildlife species in the state, including migratory birds, as well as watercraft law enforcement and the Off-Highway Vehicle Enforcement Statutes. Tourism related to Arizona's wildlife contributes more than \$2 billion annually to the state's economy. Illegal border crossings, smuggling and litter make the area a less attractive destination. Border crossers use desert water catchments, limiting wildlife's access to the water.

Questions and Comments:

Q *Ms. Coronado* asked Mr. Perry to relate his group's binational work.

A *Mr. Perry* said his group works with Mexico, the Centro Ecologico, and the ranching community. His group works on: reintroducing a wild turkey sub-species that was originally native to Arizona and now lives in Mexico, a cooperative project on Big Horn sheep in Baja California, and participates in seminars in Mexico.

Follow Up Item:

Mr. Dos Santos told Mr. Perry that there would be interest in his agency's activities at the next Arizona-Mexico conference, led by the governors of Arizona and Sonora, November 20-22, in Puerto Peñasco. Arizona Department of Game and Fish Director Duane Shroufe has been requested to attend.

Q *Mr. Linskey* asked if there was any data of actual trends in illegal migration's impact on the state.

A *Mr. Perry* said the information is mostly anecdotal, but the agency does measure wildlife populations. Populations are down due to a combination of drought and the continuing disturbance and movement of humans (particularly at night, when people try to travel undetected).

Q *Mr. Linskey* said that in California, Immigration and Naturalization Services (INS) is providing emergency water points in some areas, and asked if there is any such thing in Arizona.

A *Mr. Perry* replied that he was not familiar with any such programs.

A *Mr. Newman* added that there is a private effort to put in water trucks for people coming across the border.

Q *Mr. Allen* asked what the U.S. might do to preserve the jaguar.

A *Mr. Perry* said that the single most important thing to do is to work with the Mexican government and land owners in Mexico to make it worth their while economically to try to help with the management of jaguars.

Q *Mr. Cibas* asked if there were any projects conducted with New Mexico's Game and Fish Department, particularly in the part of the state that borders Sonora and Chihuahua.

A *Mr. Perry* said this was done on a case-by-case basis.

Q *Mr. Klein* asked to what degree activities are coordinated and collaborative with the Department of Fish and Wildlife Services, rather than redundant.

A *Mr. Perry* said that efforts are complementary to each other. Fish and Wildlife Service does not have a very large enforcement staff, so Arizona performs that role. A coordinated conservation plan for the Buenos Aires Refuge is in final draft now.

Comments:

Mr. McClure said that the Department of Interior, U.S. Forest Service, EPA, and the Border Patrol put together a report for southeast Arizona on the impacts caused by

undocumented immigrants crossing federal lands (available at www.az.blm.gov). That was submitted to Congress April 29. An effort to put together a similar report for the remainder of the border is in various stages of draft.

Ms. Borja said that in Texas, law enforcement agencies have reported that, due to increased border security, drugs are not coming across as easily. More drugs are now available on the Mexican side, and the price is going down. This new problem is a focus for cooperation on both sides of the border.

Binational Dimension

Maeveen Behan, Pima County, Arizona

Overview:

Ms. Behan said that in the comprehensive plan adopted in 2001, the ordering principle of the conservation plan is the protection of biological diversity, and the ordering principle of the urban plan is protection of the tax base. In Pima County, the value of the tax base is held in improvements, not in the land. Still to come is the neighborhood conservation plan.

Having the conservation ethic come from the local instead of the federal level, *Ms. Behan* said, has greatly benefitted habitat conservation. More than 350 people answered the call to join in the public process for the comprehensive plan. Arizona Game and Fish, federal agencies, and the Tohono Nation were involved.

The group has taught people how to use GIS to make their own maps, and public participation has added layers to Pima County's GIS data. The group has published more than 200 studies. Future conservation efforts depend on building a relationship with current landowners and cooperating with the ranch community.

Recommendations:

Federal land regulators still have a species-specific focus; there should be a more comprehensive approach. Endangered Species Act implementation would benefit if people with short-term interests were separated from those with long-term, giving them two different sorts of areas of problems to solve.

Questions:

Q *Ms. Chapman* asked how the group finds funding, and if the Endangered Species Act provided a catalyst for these types of programs?

A *Ms. Behan* replied that a federal grant was made in 2000. Before that time research had already been launched with donations from the science community. The group was lucky to be given the Endangered Species listing at a time when it was feasible to work on both that and long-term planning.

Q *Mr. Cibas* asked how GIS has worked as a tool of communication.

A Ms. Behan said at first there was great anxiety about how data was to be collected. When land owners realized they too had access to the best information, the objection dissolved.

Q Mr. Fry asked how this approach might be nationalized.

A Ms. Behan said her group memorialized the decision-making process.

Tribal Priorities

Jefford Francisco, Natural Resources Department; Rick Clifton, Director of Public Safety; and Ron Curley, District Council, Hikiwan District, all of the Tohono O'odham Nation

Overview:

Mr. Francisco said the Tohono O'odham Reservation is close to three million acres and has about 70 miles of border fencing along the southern part, and the northern border is a major pick-up point. It is important to remember that this reservation assignment was not asked for or sought.

All natural resources programs are affected by illegal entries, drug trafficking and other issues. Wildlife is being killed for food, many plants are damaged, roads are eroded, and corpses appear and have to be dealt with. Cattle are being rustled off the reservation, and in some instances, when people have tried to stop it, their homes have been burned. Trash comes in water washes and as litter left by border crossers. Hoof-and-mouth quarantines are made more frequent by fence-cuttings and border crossers who may track the disease onto the reservation. There is a fire risk to endangered plants.

Mr. Francisco said communication with the surrounding areas is very important and wished there were better communication with Mexico.

Mr. Clifton said that 3,695 abandoned vehicles have been towed since January 2002. Due to increased enforcement elsewhere along the border, the reservation is now the flip-key, with 1,000 to 1,500 crossings per day. Trash in the water has caused flooding. The Tohono are a very generous and helpful people, but that openness is now putting individuals in danger. Also, Tohono members are hindered from crossing the border to visit family.

Mr. Curley said that fence-cuttings have freed cattle. Wandering cattle are impeded from their usual water sources because of human traffic, and land has become overstocked and overgrazed. The District is working with Natural Resources to implement a rotating pasture system, with hopes that it will be a successful tool for recruiting more ranchers into the Range Management Program.

Recommendations:

Two major problems are the lack of communication with Mexico and funding. The federal government needs to look at reimbursement for health care provided by Indian

Health Services for illegal border crossers. Federal funds stop at the U.S. border and cannot be used to help the O'odham in Mexico.

Questions:

Q *Mr. Cibas* asked what the consequences are for the Indians' different legal status in Mexico.

A *Mr. Francisco* said that some sneak across the border for medical treatment, or to get food. They have no assistance in Mexico.

A *Ms. Kunz* said the Tohono O'odham Nation has been actively seeking citizenship for its members in Mexico. If successful, their tribal enrollment would be considered equal to a U.S. birth certificate.

Public Comments:

Mr. Clifton said that on the 75-mile U.S.-Mexico border of the Tohono O'odham Nation, there is no legal port of entry. Tribal members have to go four or five hours to a port of entry, which is a tremendous hindrance. There are also serious concerns about communicable diseases brought to the reservation by people from all over the world crossing the border. The Border Patrol poses an environmental challenge by destroying plants.

Mr. Newman said that Cochise County, Arizona, was once ground zero for illegal immigration in the United States. Now the very same problems are being faced by the Tohono O'odham Nation, in the same unfortunate position.

Sometimes the Border Patrol itself is the biggest environmental problem on the border, with their off-road vehicles doing a lot of damage.

Border communities need a lot of cooperation with the State Department and whoever are the cohorts in Mexico on many issues, including health (both environmental and human) and the crossing of emergency equipment. Most government officials are urging some sort of a civilized guest-worker program monitored by the U.S. Department of Labor, whatever it may be.

In the past Arizona had a Border Volunteer Corporation, which was a part of AmeriCorps and a very well-run program. It lost funding, but it now might be the time to have something like it again, from Texas to California.

Mr. Canez said that drawing development away from the border is beneficial. NAFTA brings an opportunity to encourage further development deeper in Mexico. Properly constructed roads are critical for preventing erosion, and repairs on the border fence should not be left to local ranchers.

Meeting Theme 2: Health Presentations

Promotoras Projects

Norma Guerra, Platicamos Salud, Mariposa Community Health Center, Nogales

Overview:

The Mariposa Community Health Center uses promotoras, or health promoters, to reach the community and facilitate communication between doctors and underserved, culturally or linguistically isolated populations. Programs under Platicamos Salud include environmental health, breast cancer, diabetes prevention, education and family support, tobacco cessation, second-hand smoke, lead poisoning prevention and education program, HIV education and prevention, health start, pre-natal, home visitation programs, community nutrition programs, Salud Si and Summer Youth Institute, cross-border community education, outreach and training programs, clean air, clean water, and solid waste disposal.

Questions:

Q *Ms. Yoshii* asked if the center interacted with others doing similar work.

A *Ms. Guerra* said this was the case, and included Nogales, Sonora.

Q *Ms. Kunz* asked how promotoras went about work on environmental issues.

A *Ms. Guerra* said the promotoras test homes for lead, instruct about topics like cleaner air and household hazardous materials, and communicate with health care providers if people have respiratory problems.

Citizens' Groups

David Christiana and Asia Philbin, Water for People

Overview:

Mr. Christiana and *Ms. Philbin* gave a joint presentation. Water for People helps impoverished people worldwide improve their quality of life by supporting locally sustainable drinking water, sanitation and hygiene education projects. The projects are things people can maintain: it is important to have technology appropriate to the community.

The group uses local expertise. People in the community work side by side with an NGO, the in-country partner, and volunteers. A typical project averages about \$6,000. They are in the planning stages of a program that would address water issues and projects like those being conducted in Sonora and Chihuahua, with the cooperative efforts of the water-supply community in California, Texas and New Mexico.

Questions:

Q *Ms. Sorzano* asked how the group identifies a need and then addresses the problem.

A *Mr. Christiana* said most projects are identified through an in-country partner. Most of the Sonora projects have been funded by the Arizona section of the Water for People and the communities; part of it is in-kind services.

Q *Ms. Coronado* asked how the group dealt with not being able to fully meet a community's expectations.

A *Mr. Christiana* said by increased sensitivity, and clearly knowing what our capabilities are.

A *Ms. Philbin* added that involving the community helps people look at things realistically. Then constructive solutions and plans can be made.

Comments:

Mr. Linskey suggested Water for People network with the National Rural Electric Co-op Association, which has international programs.

Mr. Phillips described abysmal water conditions he has seen in Mexico and suggested looking into solar energy.

Ms. Sorzano suggested a possible contact with Treasury Secretary Paul O'Neill, who became interested in the issue after a trip to Africa, although, she conceded, Bono may be just as effective.

Arizona-Mexico Commission Health Committee

Dr. Cecilia Rosales, Arizona Department of Health Services

Overview:

The Office of Border Health has a small staff and must coordinate with other offices. It is the Arizona health department's liaison with its Sonora counterpart.

Dr. Rosales emphasized the idea of the border as its own region: If the border were a separate state, on its own, it would rank last in access to health care, second in death rates to hepatitis, third in death rates related to diabetes, first in the number of tuberculosis cases, and first in schoolchildren living in poverty. Difficulties stem from dealing with two independent sovereign nations, high population growth, different languages and different cultures, different economic development, high unemployment rates, low immunization rates on the U.S. side, and a shortage of health care professionals. Environmental concerns have been raised about pesticide-related illnesses, which are hard to diagnose.

The U.S.-Mexico Border Health Commission has established the Healthy Gente program, a set of 10-year objectives for health promotion and disease prevention. Objectives include meeting or exceeding EPA air-quality standards, addressing public sewage, and reducing pesticide poisoning. Other binational projects include tuberculosis outreach and surveillance, and a diabetes survey.

Recommendations:

- It is important that Congress recognize the U.S.-Mexico border as a strategic region susceptible to bioterrorism activity and other unforeseen hazardous materials incidents, and that it mandate the creation of a U.S.-Mexico borderwide preparedness plan.
- Congress should mandate and fund the establishment of environmental-related disease registries. Currently, because not every border community collects hospital discharge data and existing statistics are not very accurate, there is not any means to track many chronic and autoimmune diseases.

Question:

Q *Ms. Coronado* asked if there has been any consideration of portable health insurance.

A *Mr. Guerrero* said only in the infancy stage: there is a complication of cross-border credentialing of physicians.

A *Dr. Rosales* said that more important is investing in hospital infrastructure along the border.

A *Ms. Kunz* added that a conference on such issues was to take place in El Paso in November.

Air Quality and Environmental Health in Ambos Nogales

Michele Kimpel-Guzman, ADEQ Border Team

Overview:

Ms. Guzman said the primary air quality problem in Ambos Nogales is particulate matter. Primary sources are: residential emissions from burning of garbage, and the burning of wood; and soil erosion from the few poorly paved streets, the many unpaved roads and unpaved parking areas. The second most major source is vehicle emissions, complicated both by problems with individual cars and by congestion at ports of entry and poorly designed traffic patterns.

Addressing the problem includes public outreach/education and raising support for an institutional response. One result of the team's work has been to have the USDA consider doing some of its inspections at warehouses instead of at ports of entry, where produce-truck inspections can cause a bottleneck.

Recommendations:

Policy

- Clarify and promote the binational use of funds. Create a fund that would be like the Border Environment Infrastructure Fund. (There are also various funding sources already available through the U.S. Department of Transportation that could be used to fund BEIF for air quality.)
- Prioritize security measures that have been proposed by the Homeland Security director, which could also help to speed up cross-border flows; and a designated commuter lane for those with an approved application for border crossing.

Physical Improvements

- Ensure adequate stabilization of more roads and parking lots through paving, chemical stabilizers, or gravel.
- Regulate vehicle emissions, perhaps through a smoking-vehicle program.
- Construct major transportation corridors in order to relieve some of the traffic congestion.
- Reduce the air quality impacts of the train route through the center of town; make the train route less of an obstacle to traffic.
- Eliminate the burning of garbage, through education and by establishing regular collection in underserved parts of Nogales, Sonora.
- Promote effective revegetation efforts.
- Reduce the burning of wood.
- Establish recycling programs.
- Create or improve public-transit services.
- Improve traffic flow and signaling.

Questions:

Q *Mr. Clifton* asked if the airshed is officially designated a common airshed.

A *Ms. Kimpel-Guzman* said it was not.

A *Mr. Cibas* encouraged seeking the designation, which is essential to implement certain systems and programs.

Q *Ms. Coronado* asked if the use of oxygenated fuels or a binational trolley was being considered.

A *Ms. Kimpel-Guzman* said both were a possibility.

Comments:

Mr. Linskey: The State Department has received \$25 million to be used in Mexico to help implement some of the 22 Point Border Security Plan, and some has been earmarked for designated commuter lanes.

Public Comments:

Mr. Bracker (Nogales, Arizona, merchant): A lot of raw sewage is coming into Nogales through the flood-control channels. Something can be done, but people here seem to have given up and many agencies do not seem to care.

Mr. Ybarra responded that the basic issue is a community on the other side that has outgrown its infrastructure, and is uphill. A joint-government project to install a chlorination facility in Mexico has helped somewhat. Part of a long-term plan has been certified by the Border Environment Cooperation Commission. There is some lack of movement due to lack of funds.

Follow Up Item:

Mr. Bracker responded by saying that he hoped there would be more communication with residents on these projects, so they would know something is being done.

Environmental Health Issue in Cochise County

Diane Carper, Director, Cochise County, Arizona, Health Department

Overview:

Ms. Carper said that one problem along the border is the crossing of emergency equipment: Last December, it took three days to get any U.S. equipment across the border to help put out a fire. Emergency response equipment is not covered by U.S. insurance policies when in Mexico, and staff are not protected by Good Samaritan laws that prevent being sued individually. There is also no accepted standard for communication.

Chemical spills are another concern. Sewage continues to be a problem. The department is using federal dollars to train both Mexican and U.S. officials on bioterrorism issues. Last week the Cross Border Binational Emergency Response Plan was signed.

Funding has been removed for providing health care to illegal aliens. When illegal aliens come and are ill, we take care of them, and we cannot recoup the expense. Some illegal aliens with a major medical problem get themselves arrested, because they can get medical care in jail.

Recommendations:

- The County needs federal and state intervention so that equipment and staff can move immediately across the border for fires that will have serious consequences for both U.S. and Mexico citizens. So we need to put into place something that will allow us to prepare to have the vehicles cross the border without delay.
- State and federal level intervention is needed for umbrella insurance coverage that will protect emergency vehicles and personnel, and licensing, in emergency conditions.

Comments:

Mr. Linskey said there is precedence along the border now for emergency response teams to go across. In California they do it in the case of wild fires. There are also examples where U.S. Military teams go into other countries and provide medical services.

Good Neighbor Board Member Report-Outs

Ms. Sorzano said that if the Colonias Gateway Initiative gets passed, it will provide \$16 million for grants for community development, technical assistance, housing and financial education programs in the Colonias in the four states. The Board is also working on a binational GIS effort, to look at infrastructure and population patterns. The regional office in Texas just put on a construction technology conference, where there were discussions of energy efficient materials, local materials and appropriate technology materials. One of the long-term efforts is President Bush's and President Fox's Partnership for Prosperity, which is moving economic development from the border area of Mexico to the south of Mexico.

Mr. Trevino said one of the components on the Farm Bill's Title II is a conservation initiative, the Environmental Quality Incentives Program. The Farm Bill brought about \$400 million to the Nation for conservation on private lands and tribal lands. The chief of the USDA's conservation agency, Bruce Knight, was invited by the Mexican Solar Science Society to make a presentation on mapping and classifying soil. The International Soil and Water Conservation Society is having their meeting in 2003, in Spokane, Washington, on trans-boundary water management.

Mr. Ybarra said planning is underway to strengthen the International Boundary and Water Commission by creating advisor groups for drought management and sustainable management of the watersheds. A flood control project on the Rio Grande is undergoing some environmental evaluation on its international reach, and the Board is looking at some early biological assessments leading to the consultations of endangered species. On the Colorado River, the Board is still doing some early in-house environmental work.

Action Item:

Ms. Yoshii said the EPA will follow up on the Nogales sewage issue and on trying to add substance to an emergency response plan.

Mr. Linskey said a Binational Commission meeting will be held in Mexico on November 25-26, and that Homeland Security and water dominate the bilateral agenda. We hope to have worked out fully how we would be spending the \$25 million assistance program for Mexico to implement aspects of Homeland Security by the time we meet with Tom Ridge in November. We are working toward a North American security perimeter and will be helping Mexico in such areas as screening of foreign nationals who come into Mexico, and screening of materials coming in through its airports.

Mr. Klein said the USGS is collaborating with the National Institute of Environmental Health Sciences on examining human health issues on the U.S.-Mexico border. Environmental data sets will be combined in a GIS-based tool kit. We have been asked by some of the Congressional Caucus to put together and ask for about a \$5 million effort, starting with fiscal year 2004, to start a thorough binational water resources evaluation. We want to explore use and treatment of saline water. We are working closely with Mexico on composing good geologic maps of the border. The department is working with IBWC and a group of NGOs on environmental restoration in the Colorado River Delta.

Mr. McClure invited those present to "Changes and Choices Collaborative Land Use Planning in the Southwest," a conference in Tucson in November.

Mr. Nesmith said the U.S. Commerce Department Economic Development Administration is considering economic development infrastructure grants along the U.S. border that will create jobs.

Mr. Phillips said that some mayors of Arizona border towns are concerned about power plants going up in close proximity in Mexico; they do not know if there are protective safety regulations. The Cocopah in Mexico are concerned about river health; they have experienced the same problems described today by Tohono O'odham members. Sometimes the reservation's sovereignty works against it, because people engaged in illegal activities know nobody is going to come in and do anything unless it is approved by the Tribal Council and the Tribal Government. The tribe has been working hand-in-hand with the Border Patrol, and has a good relationship.

Status of Border Dialogue with Consejo

Mr. Romo said that what he has heard today is discouraging. It is unfortunate that there is not more progress to report, and that cooperation efforts have been stalled for many reasons. The Consejo and the Good Neighbor Board need to communicate more.

Three new sectors have been added to the Councils for Sustainable Development: youth, gender, and ethnic groups. Two members of the Northwest and Northeast Councils were appointed to become liaisons also the Good Neighbor Board: Gabriel Avail from Chihuahua, and Renello Pirrana from Ensenada.

At the Johannesburg Summit, the 10 members of National Council for Sustainable Development and the President constituted the Mexican delegation. *Mr. Romo* proposed a joint report project with GNEB as a beginning for increased cooperation. Perhaps we need to join forces with an organization in the sister city of where we are meeting so they can bring participants from Mexico.

Mr. Dos Santos responded by saying that GNEB wants engagement with an equivalent body in Mexico. He suggested formalizing some communication system between the Good Neighbor Board and the Consejo, identifying specific members to attend the meetings of the other respective body.

Follow Up Item:

Ms. Koerner said she would include the Consejo's meeting dates in her newsletter.

October 10 Meeting Summary

Opening Remarks and Business Meeting

Mr. Dos Santos greeted new guests and announced that *Mr. Nesmith*, who has been nominated Assistant Secretary of HUD, may be leaving the Board. He then summarized the letter sent by EPA Administrator Whitman on behalf of the President to the Board.

The El Paso meeting minutes were approved with minor changes.

Ms. Koerner announced that there may be new appointments to the Board in the coming year. She hopes for a decision by Administrator Whitman in January. The Sixth Report should be ready for February's strategic planning session.

Plans for 2003 Meetings

The Board selected Deming, New Mexico (April 9-10) ; Del Rio, Texas (July 30-31); and San Diego, California (October 22-23), though the San Diego meeting could occur in Tijuana, possibly in conjunction with the Consejo. The strategic planning meeting will be held in Washington February 18-19.

Planning Committees

Selection of individual meeting themes was left for the D.C. planning session.

Mr. Van Schoik, Mr. Linskey, and Mr. Dos Santos volunteered to serve on a committee to determine the GNEB strategic plan agenda.

Mr. Ranger, Ms. Coronado, Ms. Borja, Ms. Chapman, Mr. Ybarra, and Mr. Linskey all volunteered to serve on a committee to draft Board recommendations and reports.

Hot Topics Round Table: U.S.-Mexico Water Debt

Discussion:

Mr. Ybarra said that Mexico has a treaty obligation to provide water to the U.S. but has been short in the deliveries. The IBWC is discussing ways to help Mexico meet the treaty obligation through developing water with infrastructure projects, as well as enhancing the manner in which Mexico provides information, making it timely and transparent.

Follow Up Item:

Mr. Ranger volunteered to draft a letter of the Board's recommendations to the IBWC and the Department of State.

Mr. Borja said that the border communities are not unified on this issue.

Ms. Chapman said the BECC-NADBank funding is being made available to all border communities, which would dilute its effect. There should be some weighting for crisis conditions, like farmers in the lower Rio Grande valley. *Mr. Dos Santos* said another perspective is that those \$40 million would have been used for environmental projects along the length of the border to address needs like air quality considerations and paving projects. That money has been converted for use specifically for water conservation projects.

Mr. Linskey said that funding came from retained earnings of both U.S. and Mexican contributions. *Mr. Dos Santos* said the fundamentals of the problem are the absence of a regulatory management system that is linked to land use. *Mr. Linskey* said the challenge

now is to devise a regulatory arrangement between the two countries and a system to the use of these rivers and their tributaries. Ms. Chapman agreed.

Hot Topics Round Table: BECC-NADBank Reform

Discussion:

Mr. Linskey said NADBank-BECC grant-related legislation is now before both the Mexican and U.S. legislatures. Last year there was discussion of a merger of the two institutions, but the decision was made to keep them largely independent.

Ms. Borja said the question keeps being raised of combining both entities. BECC provides public input, a level of transparency. To combine the two, some fear losing that transparency.

Ms. Koerner said Nogales' sewage drainage problem seems like a good NADBank project.

Mr. Ybarra said projects that apply to BECC-NADBank are showing a gap between the certification and the financing in which the project that is initially developed and certified is beginning to change by the time it gets to the financing side. Then operation and maintenance are left up to the communities, and the institutions do not have the capacity to be able to keep these up. The IBWC does not have the mechanism to take care of these.

Follow Up Item:

Mr. Dos Santos said the next report would have some text on the bank issue.

Border 2012

Overview:

Ms. Yoshii said the XXI Accomplishments Report is available on the website, and the Draft Border 2012 Plan is available for public comment. There are 19 public meetings scheduled between now and the close of the public comment period (November 22).

Follow Up Items:

Ms. Coronado suggested Spanish-language radio to publicize the comment period.

Mr. Dos Santos suggested drafting a preliminary letter of comment in November.

Comments:

Mr. Van Schoik said the Southwest Center for Environmental Research and Policy has done work with indicators, and endorses including an indicators task force within Border 2012.

Good Neighbor Board Member Report-Outs

Mr. Fry said his company has put a microturbine generator at one of its stores, which operates on natural gas. They are also looking into fuel cells.

Ms. Coronado said a great deal of unemployment and contamination is caused by several companies in El Paso/Juarez. There is a great push for EPA to demand the companies clean up. There is discussion that this area be declared a Superfund sight.

Mr. Ranger said the Border Trade Alliance was held in San Diego that focused on energy and water. A Mexican environmental legislative Task Force was formed recently.

Meeting Theme 3: Borderland Security Security and Infrastructure: The Connection

Overview of Costs and Opportunities for the Border Region

Garrick Taylor, Border Trade Alliance

Overview:

Mr. Taylor said automation means we are going to be moving the goods through the border more efficiently. Pre-approval programs clear goods at the point of manufacture so they do not get bottlenecked at the border. Good salaries help keep qualified people working on our ports of entry. An integrated entry and exit control system may be a part of a security plan; its environmental impact needs to be looked at.

Local Effects: Nogales Cyberport Project

Scott Davis, University of Arizona

Overview:

Mr. Davis said that statistics show trade flows will be increasing over time, and that therefore homeland security and environmental considerations really converge.

Cyberport is one idea of how to move trade more efficiently, more safely and more securely. Recommendations tied to this idea include:

- Incentivized pre-clearance, pre-inspection and compliance programs are logistical areas of improvement.
- Safety, security and efficiency through design, secure information-sharing, application of new technology, transparency of shipments and establishing performance standards and systems.
- Eliminating dredge/hauling activity in the movement of empty trucks and looking into what could be moved by rail.
- Dedicating infrastructure to incentivize desired behavior.

Questions:

Q *Mr. Clifton* asked if advanced notification could be given of hazardous materials coming across the border?

A *Mr. Davis* said that the technologies and the physical capacity are there; it is just providing the coordination to do that. One of the proposals that has been made for a very long time now and that we have been unable to institute at the Arizona ports of entry, is restrictive hours for the movement of hazardous waste and hazardous materials.

Effects on States: Perspective of Border Governors

Russ Knocke, Arizona Governor's Office

Overview:

Mr. Knocke said the Border Governors Conference published a U.S.-Mexico Border States September 11 Impact Report that all of the 10 border states contributed to. The Governors are enacting a suite of improvements in emergency preparedness and response. The next conference is in August 2003 in Chihuahua.

Recommendations:

Identify integrated strategies for waste management along the border to enhance emergency preparedness among sister cities by:

- updating or developing emergency response plans;
- promoting the development of new electrical generation plants with consideration of environmental effects; and
- coordinating and promoting management systems to conserve and optimize water use.

Questions and Comments:

Mr. Clifton said he was concerned that the Native American Tribes were not a part of the conference.

Q *Ms. Coronado* asked if the movement of human beings would be facilitated.

A *Mr. Davis* said the principles are applied the same to the movement of passenger vehicles and pedestrians.

Concluding Remarks

Mr. Dos Santos said that on October 2, Governor Whitman announced the release of a Homeland Security Strategic Plan (www.epa.gov). He thanked the participants and the City of Nogales.

The meeting was adjourned at 3:04 p.m.